

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
DETROIT DIVISION

KENNETH LOWMAN  
19600 W. Mc Nichols  
Detroit, Michigan 48219  
313 220-1369

PLAINTIFF

Vs.

DEFENDANTS

GENERAL MOTORS CORPORATION  
Resident Agent address:  
30600 Telegraph Ste 2345  
Bingham Farm Michigan 48025

JAMES WOODS – info unknown

UAW INTERNATIONAL  
Resident agent address:  
8712 E. Jefferson  
Detroit, Michigan 48214

THOMAS KURZYNIEC  
4815 Shoreline Blvd  
Waterford Mi, 48329  
Ph: 248 242-0389

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COMPLAINT AND JURY DEMAND

Comes now the Plaintiff, Kenneth Lowman through himself and makes this demand for a trial by jury. There is no other civil action between these parties arising out of this same transaction or occurrence as alleged in this complaint, pending in this court, nor has any such action been previously filed and dismissed after having been assigned to a judge, nor do I know of any other civil action not between these parties, arising out of the same occurrence as alleged in this complaint that is either pending or was previously filed and dismissed, transferred, or otherwise disposed of after having been assigned to a judge in this court.

Comes now the Plaintiff, Kenneth Lowman, and hereby makes his demand for a trial by jury.

Respectfully Submitted by Plaintiff

Kenneth Lowman



### **Jurisdiction And Venue**

The Plaintiff Kenneth Lowman, is a resident of the City of Detroit, County of Wayne, and state of Michigan

The Defendant 1, is General Motors Corporation is a business licensed to conduct business in the city of Detroit, County of Wayne, and State of Michigan, with its resident agent's office in the City of Bingham Farms, Michigan

The Defendant 2, is an individual James Woods aka Jim Woods

The Defendant 3 UAW International is doing business in the city of Detroit, with its resident agent office in the city of Detroit

The Defendant 4 is an individual name Thomas Kurzyniec

The venue is proper in this County as the Defendants conducts business in the County of Wayne.

### **General Allegations**

1. Plaintiff was hired into General Motors in October 1979 and worked up to around 2012.
2. Plaintiff states he was injured at work and took a sick leave around 2012 rendering him totally disabled.
3. Plaintiff states in April 2015 he received a call from Fidelity employee Terrance and was informed that he had to report back

to work because General Motors had a job that met his restrictions.

4. Plaintiff states he returned to work on April 22, 2015, and during that time he went to medical quite often and after working nearly two weeks, he took 3 or 4 days off.
5. Plaintiff states on May 6, 2015, he returned to work and was not allowed to enter the plant and was told to contact management.
6. Plaintiff contacted Thomas Kurzyniec on May 6, 2015, who was chairperson of local 653 who said he would look into the matter.
7. Plaintiff states Thomas Kurzyniec refused to write a grievance.
8. Plaintiff was told by Thomas Kurzyniec that management James Wood aka Jim Woods sent out a certified letter and plaintiff did not respond so he was terminated. Plaintiff continued throughout the process telling Thomas, he never received a certified letter.
9. Plaintiff asked Thomas Kurzyniec many times if he would get a copy and he continue to say he was working on it.
10. Plaintiff states he asked chairperson of local 653 Thomas Kurzyniec in June, 2015 and in July 2015, again to write a grievance and he again refused to write a grievance.



11. Plaintiff states he call the local union 653 and explained his situation and later met with Randy August 19, 2015, and Randy wrote the grievance. Plaintiff had asked to be able to return back to work only after being absent for 3 or 4 days from the date of termination of May 6, 2015 and be made whole.
12. Plaintiff states on September 7, 2015, the grievance was denied by General Motors management and signed by James Woods aka Jim Woods. He stated the grievance lacked merits and was denied.
13. After months of Plaintiff calling Thomas Kurzyniec and local 653, in September of 2015 Plaintiff met with Thomas at union hall around September 10, 2015. It was at that time during the meeting chairperson Thomas Kurzyniec handed plaintiff a copy of a document showing plaintiff was terminated July 21, 2015.
14. Plaintiff states he asked for a copy of the certified letter and plaintiff states Thomas stated James Woods aka Jim Woods said he don't have to give it to you.
15. Plaintiff states after over one year with no results, plaintiff was contacted by chairperson Thomas Kurzyniec and was informed he would not be able to return back to work but offered plaintiff the option to retire under a mutual agreement. In December 2016, plaintiff executed a document where he

expressed, in writing to retire under the General Motors hourly-rate Employee Pension Plan, mainly because the union did not act in his best interest and was told by Thomas there were no other options to allow him to return back to work only after being absent for 3 or 4 days.

16. Plaintiff state he never received his Pension funds in 2017.
17. Plaintiff states in February of 2019, he contacted Regional 1 and UAW International. A meeting took place with chairperson Thomas Kurzyniec who was then working at Regional 1, and Barry Campbell representative from UAW International.
18. Plaintiff states he asked Barry Campbell to get General Motors to produce the certified letter that their employee James Woods aka Jim Woods stated he sent.
19. Plaintiff states thereafter about 10 days later, plaintiff was contacted by Thomas Kurzyniec who was now at Regional 1, and informed plaintiff that no notice was ever send.
20. Plaintiff states after that conversation, plaintiff asked to be made whole and to return back to work.
21. Plaintiff states he contacted Uaw official by way of certified letters asking that Thomas Kurzyniec be removed from handling any of his affairs because he was a conflict of interest.

22. Plaintiff states Thomas Kurzyniec continued to handle his affair and plaintiff appealed the decision and it was denied based on Thomas Kurzyniec false statements – v – documented evidence by plaintiff.

### Fraud

1. General Motors employee James Wood aka Jim Woods who worked in labor relations signature is on a fraudulent document that stated employee was terminated July 21, 2015.
2. General Motors employee James Woods aka Jim Woods committed fraud giving a uaw official a fraudulent document knowing he never sent the plaintiff a certified letter terminating plaintiff.
3. General Motors employee James Wood aka Jim Woods denied the plaintiff request by way of a grievance No C19734) in which the plaintiff asked to return to work and be made whole.
4. General Motors employee James Wood aka Jim Woods committed perjury when he signed the grievance dated September 7, 2015, stating it lacked merits, knowing he never sent a certified letter to plaintiff's home.
5. Plaintiff state around July 2019, plaintiff applied for his pension, and it was approved, and all documents were completed. Plaintiff



states he contacted Fidelity every month inquiring about when he would receive his payments.

6. Plaintiff states he contacted Fidelity in December 2019 and was told by a representative he cancelled his own pension application; in which plaintiff informed Fidelity representative he did not do. Plaintiff was told an investigation would take place as all calls were recorded.
7. Plaintiff state in January 2020 he contacted Fidelity inquiring about his pension and was told by Fidelity representative it was not him that cancelled his pension but refuse to give details.
8. Plaintiff state that UAW official Thomas Kurzyniec gave him a fraudulent document on or around September 10, 2015, which caused him to lose his job and Thomas deception mislead and hide the truth.
9. Plaintiff states he was violated of his rights under the Agreement between the UAW and General Motors parg (111) b states: in short: Employee who fail to report for work within three working days after the date of expiration of the leave, shall be considered as having voluntarily quit unless they have a satisfactory reason. Management will send clear written notification to such employee last known address, that their seniority has been broken and that it can be reinstated. A copy of such management notification will be furnished promptly to the chairperson of the shop committee. If such employee complies with the conditions



set forth in the notification, their seniority will be reinstated.

Plaintiff last day worked was April 28, 2015, and plaintiff states he never received a 3 day notice.

10. Plaintiff state he sent copies of the fraudulent document and letters asking that Thomas Kurzyniec be removed from any action because he was a conflict of interest. Letters were sent certified mail to local 653 President Michael Warchuck, assistant director UAW Regional 1 James Harris, UAW International Headquarter official President International Union Gary Jones, and Vice President UAW Terry Dittes , and others.
11. Plaintiff states that the UAW had a fiduciary responsibility to act in the best interest of its member and did not do so.
12. Plaintiff states a meeting took place in February, 2019 and plaintiff was offered his retirement package again. Plaintiff again asked to be made whole and to return back to work.
13. Plaintiff states documents he received have different dates.
14. Plaintiff state in October 2019 that Thomas Kurzyniec lied during an appeal with the UAW International Executive Board Hearing which resulted in a favorable decision in Thomas favor, which was tainted by fraud, deception, and collusion with management.

15. Plaintiff states he never agreed to a grievance settlement in April of 2017.

16. There is a medical document in plaintiff medical file dated April 14, 2015, that states no restrictions and signed by medical staff.

As a direct and proximate result of Defendants wrongful acts and omissions, Plaintiff has sustained injuries and damages including but not limited to, loss of earning capacity, loss of career and opportunities, mental anguish, physical and emotional distress, humiliation and embarrassment, loss of the ordinary pleasures of everyday life.

Wherefore, the Plaintiff respectfully prays this honorable Court grant the following relief:

The Plaintiff be made whole and paid all entitlements from the date in which the fraud was committed, punitive damages and such other relief as this Honorable Court deems just and equitable.

Respectfully Submitted,

By: Kenneth Lowman



Dated September 6, 2021

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